

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
7:14-CV-4-BR

ELIZABETH A. MERRILL,)
Plaintiff,)
v.)
GINA MCCARTHY, Administrator,)
UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY; UNITED)
STATES ENVIRONMENTAL)
PROTECTION AGENCY; KATHY)
ANTHONY; and SUZANNE ROBERTS,)
Defendants.)

ORDER

This case comes before the court on the motion (D.E. 23) filed by defendants to strike two paragraphs, paragraphs 35 and 71, of plaintiff's complaint (Compl. (D.E. 1)). In response, plaintiff filed an amended complaint (Am. Compl. (D.E. 27)) which deletes the disputed allegations contained in paragraphs 35 and 71. Defendants have since answered plaintiff's amended pleading (Ans. (D.E. 28)). Because the disputed allegations have been removed from plaintiff's pleadings, defendants' motion to strike is DENIED as moot.

SO ORDERED, this 2 day of June 2014.



James E. Gates
United States Magistrate Judge